

R E M A R K S

Applicant respectfully requests further examination and reconsideration in view of the above amendments and the arguments set forth fully below. Claims 1-16 were previously pending in this application. Claims 1-16 are rejected. By the above amendments, Claims 1, 3, 4, 6-13, 15, and 16 are amended. New Claims 17-20 are added. Claim 5 is cancelled. Accordingly, Claims 1-4 and 6-20 are now pending in this application.

Within the Office Action, it is stated that the title of the present invention is not descriptive and as such a new title is required that is clearly indicative of the invention to which the claims are directed. The title is amended to "A System And Method Of Billing A Predetermined Telephone Line For Service Utilized By A Calling Party."

Rejections Under 35 U.S.C. § 103

Within the Office Action, Claims 1-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,160,877 issued to Tatchell et al. (Hereinafter "Tatchell"). The Applicants respectfully traverse this rejection.

Tatchell teaches a subscriber interface operating as a Personal Agent that enables a subscriber to access and activate telephone network services. Specifically, Tatchell teaches a Personal Agent processor 11 coupled to a telephone switching center 10 for providing the subscriber with call management services (Tatchell, col. 6, lines 59-67). Within the Office Action it is stated that Tatchell suggests that the call management services provided by the Personal Agent processor 11 are provided on a monthly or per-call basis and passwords are required for calls that required toll charges. However, nowhere does Tatchell teach or even suggest the specifics of any type of billing process associated with the use of the call management services. Since the call management services are managed by the Personal Agent processor 11, it follows that the Personal Agent processor 11 also tracks the particulars associated with the use of the call management services for billing purposes. Further, it is acknowledged within the Office Action that Tatchell fails to suggest billing a call to a predetermined telephone line. However, the Examiner states that it is obvious to bill for a call. The Applicants agree that in general it is obvious to bill for a call, but it is far from obvious how the call is to be billed. As the telephone switching center 10 of Tatchell provides basic telecommunications switching and routing functionality, it follows that the telephone switching

center 10 tracks and records the call duration and start time of the call being routed. As such, Tatchell teaches a system in which a switch (the telephone switching center 10) tracks and records call duration and time of a specific telephone call, and a separate service (the personal agent process 11) tracks and records service features associated with a service used with the specific telephone call. Such a process and configuration is indicative of a conventional match and merge billing system. Conventional match and merge billing systems include limitations that the present invention is specifically designed to overcome.

In contrast to the teachings of Tatchell, the present invention teaches a billing system that automatically charges a call to a predetermined telephone line when the call is placed by a calling party to a called party through a service without using a match and merge process. As discussed in the specification, conventional match and merge billing systems generally require that a time duration for a particular event, the event typically being a telephone call, and a service feature which is utilized as part of the particular event are necessary for accurate billing. Typically, a switch is used to record the time duration of the call and also a switch start time of the call, while a service that provides the service feature records the type of service feature used and a start time of the call that uses the provided service feature. In order for prior art billing systems to know both the required duration time and particular service feature, the match and merge billing system must perform a match of the precise switch start time of the switch and the precise switch start time of the service. After a successful match between the switch start time and the service start time, the conventional match and merge billing system must finally merge the time duration and the particular service feature used during the particular event into a single record. Matching the switch start time and the service start time is a somewhat unreliable process because matching the clocks belonging to the switch and to the service is a very difficult process. Performing such a process increases the complexity and inefficiency of the prior art match and merge billing systems. The present invention overcomes the limitations associated with conventional match and merge billing systems. Specifically, a signal control point is configured to send and receive control signals over an Intelligent Network to trigger the switch associated with the predetermined telephone line. Once triggered, the switch records a time duration associated with a call being made by the calling party through the service. As part of the control signal that triggers the switch, the signal control point also provides to the switch the particular service feature to be used during the call. The time duration and the particular service feature are

stored as billing information by the switch. The billing information is used to charge the predetermined telephone line, without the need to perform a match and merge process. The signal control point also enables the transfer of the call from the service to a called party thus connecting the calling party to the called party. The present invention does not require that the calling party access the switch associated with the predetermined telephone line in order to utilize this billing system. Eliminating these limitations is an advance over the prior art. As discussed above, the system of Tatchell teaches a switch that tracks and records call duration and start time of a specific telephone call, and a service that tracks and records service features used with the specific telephone call. Tatchell does not teach a switch that tracks and records both a call duration of and a service feature used during a specific telephone call. Therefore, Tatchell does not teach a switch that stores the billing information used to bill a predetermined telephone line.

The independent Claim 1 is directed to a billing system for automatically charging a call to a predetermined telephone line. The billing system includes a service, a switch, and a control point. The service is configured to receive an incoming call from a calling party and to initiate an outgoing call to a called party. The switch is configured to store billing information in response to a triggering event. The control point is configured to activate the triggering event and to transfer an incoming call from the service to a called party. The billing information stored in the switch is the billing information corresponding to the incoming call, the stored billing information is used to charge the predetermined telephone line. Claim 1 does not include the limitation of the calling party directly connected to the switch associated with the predetermined telephone line, nor does claim 1 include the limitation of utilizing the billing system only when connected to the switch associated with the predetermined telephone line. Further, Claim 1 specifically claims that the switch stores the billing information corresponding to the incoming call, where the billing information is used to charge the predetermined telephone line. As discussed above, the system of Tatchell teaches a switch that tracks and records call duration and start time of a specific telephone call, and a service that tracks and records service features used with the specific telephone call. Tatchell does not teach a switch that stores the billing information, which includes the call duration and service features used during a specific telephone call, used to bill a predetermined telephone line. For at least these reasons, the Applicants respectfully submit that the subject matter of the independent Claim 1 is allowable

over the teachings of Tatchell and as such is an allowable base claim.

Claims 2-4 and 18-20 are each dependent upon the independent Claim 1. As discussed above, Claim 1 is allowable over the teachings of Tatchell. Accordingly, Claims 2-4 and 18-20 are each also allowable as being dependent upon an allowable base claim.

Similar arguments, as discussed above in regards to Claim 1, apply to independent Claims 6 and 13. Therefore, the independent Claims 6 and 13 are allowable over the teachings of Tatchell and as such are allowable base claims. Claims 7-12 and 14-17 depend from independent Claims 6 and 13, respectively. Accordingly, Claims 7-12 and 14-17 are also allowable as being dependent upon allowable base claims. Therefore, the Applicants respectfully request reconsideration and further examination of Claims 6-17.

For at least the reasons given above, Applicants respectfully submit that all of the claims are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 2-1-02

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CERTIFICATE OF MAILING (37 CFR § 1.8(a))

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HAVERSTOCK & OWENS LLP

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